

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DOUGLAS A. STUNKEL,

Plaintiff,

vs.

JASON S. WHITE,

Defendant.

4:22-CV-3114

MEMORANDUM AND ORDER

The complaint in this case ([filing 1](#)) was filed on June 29, 2022. Two of the defendants have been dismissed. [Filing 10](#). The third defendant, Jason S. White, has neither appeared nor answered.

But the plaintiff has not filed proof of service as required by [Fed. R. Civ. P. 4\(l\)\(1\)](#). And Rule 4(m) provides that "[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time."

The Court will, therefore, provide the plaintiff with an opportunity to file proof of service showing that White was served with the complaint as provided in Rule 4(e), or otherwise show cause why his complaint should not be dismissed pursuant to Rule 4(m).

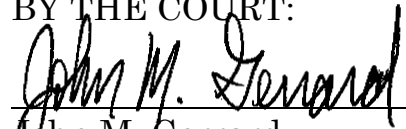
IT IS ORDERED:

1. On or before October 25, 2022, the plaintiff shall show cause why his complaint should not be dismissed for failing to serve process.

2. Absent such a showing, this case may be dismissed without further notice.
3. The Clerk of the Court is directed to set a show cause deadline for October 25, 2022.

Dated this 11th day of October, 2022.

BY THE COURT:



John M. Gerrard
United States District Judge